

0170

RECORD OF ORDINANCES

121-07

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 121-07

Passed October 8, 2007

10/2/07-gmk
(Water, Sewer & Rubbish)

Resolution No. 121-07

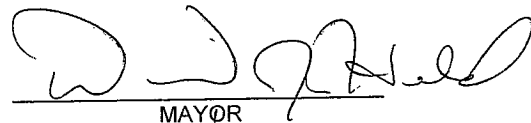
A Resolution declaring the intent to appropriate property for the improvement of the Northwood School Waterline at Nathan Circle in the City of North Canton, Ohio, and declaring the same to be an emergency.

WHEREAS, the improvement of the Northwood School Waterline located at Nathan Circle is necessary and advisable for the public health and safety of the citizens of the City of North Canton, Ohio.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

- Section 1. That it is deemed necessary and it is hereby declared to be the intention of this Council to appropriate an easement for a waterline on part of Lot No. 5974 in the City of North Canton as described in the attached "Exhibit A" for the improvement of the Northwood School Waterline.
- Section 2. It is hereby declared that it is desirable in the public interest that the City take immediate possession of the property and that the amount to be deposited with the Clerk of Court of Common Pleas at the time of filing of the complaint to secure the easement interest and right of entry under the provisions of Chapter 163 of the OHIO REVISED CODE is \$1,035.54.
- Section 3. That the Mayor of the City of North Canton, be, and is hereby authorized to cause written notice of the passage of this resolution to be given to the owners, persons in possession or having an interest of record in the above described premises, and said notice shall be served according to law by a person to be designated for that purpose by said Mayor, and to make a return of said services on notice in the manner provided by law.
- Section 4. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton in order to provide sufficient water pressure and flow for the Northwood School and further necessary for the expeditious and timely appropriation of an easement for the Northwood School Waterline Project; wherefore, this resolution shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed: 10/8/07


MAYOR

SIGNED: 10/8, 2007

ATTEST:


CLERK OF COUNCIL



1359 MARKET
AVENUE NORTH
CANTON, OHIO
44714

BRYAN J. ASHMAN
JEROLD E. GEIB

COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS

PHONE: (330) 452-5731

FAX: (330) 452-9110

EXHIBIT 'A'
10 FOOT PERPETUAL WATERLINE EASEMENT
FOR: CITY OF NORTH CANTON

Known as and being part of Lot 5974 in the City of North Canton, Stark County, Ohio as depicted on the Record Plat of Bob-o-Link Estates No. 10E and recorded in Plat Book 56, Page 21 of the Stark County Plat Records. Subject tract is presently owned by Julie M. Cross, Trustee as recorded in Stark County Recorder's Image Number 2003/02240046617 and is more particularly bounded and described as follows;

Beginning for the same at a point, at the northwest corner of Lot 5975 in the City of North Canton and being the true place of beginning for the tract of land herein to be described;

Thence on an arc of a curve to the left, on a portion of the cul-de-sac right-of-way line of Nathan Circle N.W., in a northerly direction, with said curve having a central angle of $11^{\circ}32'13''$; a radius of 50.00 feet, a tangent distance of 5.05 feet and an arc length of 10.07 feet, a distance of 10.07 feet to the termination point of said curve, (last stated curved course has a chord bearing and distance of $N03^{\circ}35'55''W - 10.05$ feet);

Thence $S87^{\circ}52'48''E$ parallel with and 10.00 feet north of the north line of Lot 5975 in the City of North Canton a distance of 150.97 feet to a point, on the west line of a 15.586 acre tract of land now or formerly owned by the Board of Education of North Canton City School District as recorded in Deed Volume 3474, Page 335 of the Stark County Deed Records;

Thence $S01^{\circ}53'57''W$ on a portion of the west line of said 15.586 acre tract of land, the same being the east line of the previously stated Lot 5974 in the City of North Canton a distance of 10.00 feet to a point, at the northeast corner of Lot 5975 in the City of North Canton;

Thence $N87^{\circ}52'48''W$ on the common line between said Lots 5975 and 5974, a distance of 150.00 feet to a point, at the northwest corner of Lot 5975 in the City of North Canton, being the true place of beginning and containing 0.0134 acre of land more or less (1,503 S.F.);

Subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land.

C1 CURVE DATA
 R=50.00'
 L=10.07'
 Δ=11°32'13"
 T=5.05'
 CH=10.05'
 CH. BRG.=N03°38'55"W

10' PERPETUAL WATERLINE EASEMENT
(NORTHWOOD SCHOOL WATERLINE INTERCONNECTION)
 PART OF LOT 5974 IN THE CITY OF NORTH CANTON,
 STARK COUNTY, OHIO
 FOR: THE CITY OF NORTH CANTON

JULIE M. CROSS, TRUSTEE
 R.I. # 2003/02240016617
 PARCEL #56-08075

NATHAN
 CIRCLE
 NW 50'

5975
 JOHN R. & BETH L. FROMHOLTZ
 O.R. 933 PG. 329
 PARCEL No. 56-08076

5976
 BOB-O-LINK ESTATES No. 10E
 LOTS 5972-5982 PB. 56 PG. 21

10' PERPETUAL
 WATERLINE EASEMENT
 0.0134 AC. (1,503 SF)

ALLOTMENT LINE

THE BOARD OF
 EDUCATION OF NORTH
 CANTON CITY SCHOOL
 DISTRICT
 D.V. 3474 PG. 335
 (15.586Ac.)

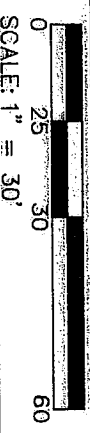
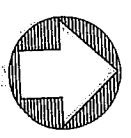


EXHIBIT 'A'
 PAGE 1 OF 2
 PROJECT 06209

1359 MARKET AVENUE NORTH
 CANTON, OHIO 44714
 PHONE: (330) 452-5731
 FAX: (330) 452-9110
COOPER & ASSOCIATES, LLP
 ENGINEERS AND SURVEYORS

DRAWN BY: M.J.S.
 CHECKED BY: R.R.D.